

CLOSED,MEDIATION,REF\_PTRL

**U.S. District Court**  
**Southern District of Florida (West Palm Beach)**  
**CIVIL DOCKET FOR CASE #: 9:11-cv-81084-KLR**

Stone v. Department of Justice  
Assigned to: Senior Judge Kenneth L. Ryskamp  
Referred to: Magistrate Judge Ann E. Vitunac  
Cause: 05:0552 Freedom of Information Act

Date Filed: 09/27/2011  
Date Terminated: 07/24/2012  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff****Gerald Stone**

represented by **Gerald Stone**  
854 Fathom Court  
North Palm Beach, FL 33408  
469-443-6343  
Fax: 972-717-1899  
PRO SE

V.

**Defendant****Department of Justice**

represented by **Carole M. Fernandez**  
United States Attorney's Office  
Federal Justice Building  
99 NE 4th Street  
Miami, FL 33132  
305-961-9333  
Fax: 305-530-7139  
Email: [Carole.Fernandez@usdoj.gov](mailto:Carole.Fernandez@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
09/27/2011	<u>1</u>	COMPLAINT AND REQUEST FOR DECLARATORY JUDGMENT against Department of Justice. Filing fee \$ 350.00 Receipt#: FLS0-1762, filed by Gerald Stone. (Attachments: # <u>1</u> Civil Cover Sheet)(mb) (Main Document 1 replaced on 9/27/2011) (mb). (Attachment 1 replaced on 9/27/2011) (mb). (Entered: 09/27/2011)
09/27/2011	<u>2</u>	Judge Assignment to Senior Judge Kenneth L. Ryskamp (mb) (Entered: 09/27/2011)
09/27/2011	<u>3</u>	CERTIFICATE of Interested Persons by Gerald Stone (mb) (Main Document 3 replaced on 9/27/2011) (mb). (Entered: 09/27/2011)
09/27/2011	<u>4</u>	Summons Issued as to Department of Justice. (mb) (Entered: 09/27/2011)
09/27/2011	<u>5</u>	Clerks Notice of Receipt of Filing Fee received on 9/27/2011 in the amount of \$ 350, receipt number FLS0-1762 (mb) (Entered: 09/27/2011)
10/03/2011	<u>6</u>	ORDER REFERRING CASE to Magistrate Judge Ann E. Vitunac for Pretrial Proceedings. Signed by Senior Judge Kenneth L. Ryskamp on 10/3/2011. (ls) (Entered: 10/03/2011)
10/12/2011	<u>7</u>	ACKNOWLEDGMENT OF SERVICE Executed as to Department of Justice, Acknowledgment filed by Gerald Stone. (yha) (Entered: 10/12/2011)
10/17/2011	<u>8</u>	ORDER OF PRETRIAL PROCEDURES. Signed by Senior Judge Kenneth L. Ryskamp on 10/17/11. (tp) (Entered: 10/17/2011)

11/03/2011	<u>9</u>	ANSWER and Affirmative Defenses to Complaint by Department of Justice.(Fernandez, Carole) (Entered: 11/03/2011)
11/14/2011	<u>10</u>	SCHEDULING REPORT – <b>Rule 16.1</b> by Department of Justice, Gerald Stone (Attachments: # <u>1</u> Text of Proposed Order)(Fernandez, Carole) (Entered: 11/14/2011)
11/28/2011	<u>11</u>	SCHEDULING ORDER: Amended Pleadings due by 11/30/2011. Discovery due by 3/1/2012. Joinder of Parties due by 11/30/2011. Motions due by 3/23/2012. Pretrial Stipulation due by 10/24/2012.. Signed by Senior Judge Kenneth L. Ryskamp on 11/28/11. (tp) (Entered: 11/29/2011)
12/01/2011	<u>12</u>	NOTICE OF TRIAL Bench Trial set for 11/5/2012 before Senior Judge Kenneth L. Ryskamp. Calendar Call set for 10/31/2012 01:15 PM in West Palm Beach Division before Senior Judge Kenneth L. Ryskamp. (ls) (Entered: 12/01/2011)
12/01/2011	<u>13</u>	ORDER REFERRING CASE to Mediation.. Signed by Senior Judge Kenneth L. Ryskamp on 12/1/2011. (ls) (Entered: 12/01/2011)
12/14/2011	<u>14</u>	NOTICE by Department of Justice of <i>Submission of Proposed Order Scheduling Mediation</i> (Attachments: # <u>1</u> Text of Proposed Order Scheduling Mediation)(Fernandez, Carole) (Entered: 12/14/2011)
12/14/2011	<u>15</u>	ORDER Scheduling Mediation Mediation Hearing set for 8/1/2012 10:00 AM. Signed by Senior Judge Kenneth L. Ryskamp on 12/2011 (ls) (Entered: 12/14/2011)
12/23/2011	<u>16</u>	Notice of Mediation Hearing before Mediator, Laurie L. Riemer filed by Laurie L. Riemer. Mediation Hearing set for 8/1/2012 10:00 AM (Riemer, Laurie) (Entered: 12/23/2011)
02/16/2012	<u>17</u>	Trial Witness List by Gerald Stone.(jua) (Entered: 02/17/2012)
03/07/2012	<u>18</u>	MOTION to Dismiss for Lack of Jurisdiction <u>1</u> Complaint, , MOTION for Summary Judgment by Department of Justice. Responses due by 3/26/2012 (Attachments: # <u>1</u> Affidavit of David Luczynski with exhibits A–E)(Fernandez, Carole) (Entered: 03/07/2012)
03/26/2012	<u>19</u>	RESPONSE in Opposition re <u>18</u> MOTION to Dismiss for Lack of Jurisdiction <u>1</u> Complaint, MOTION for Summary Judgment filed by Gerald Stone. (cbr) (Entered: 03/27/2012)
04/05/2012	<u>20</u>	REPLY to Response to Motion re <u>18</u> MOTION to Dismiss for Lack of Jurisdiction <u>1</u> Complaint, MOTION for Summary Judgment filed by Department of Justice. (Fernandez, Carole) (Entered: 04/05/2012)
04/10/2012	<u>21</u>	Rejoinder to Defendant's REPLY to <u>20</u> Reply to Response to Motion by Gerald Stone. (cbr) (Entered: 04/11/2012)
05/22/2012	<u>22</u>	REPORT AND RECOMMENDATION re <u>18</u> MOTION to Dismiss for Lack of Jurisdiction <u>1</u> Complaint filed by Department of Justice Recommending that the Government's Motion to Dismiss be GRANTED. Objections to RRdue by 6/8/2012. Signed by Magistrate Judge Ann E. Vitunac on 5/22/2012. (kza) (Entered: 05/22/2012)
07/24/2012	<u>23</u>	ORDER ADOPTING REPORT AND RECOMMENDATIONS ; re <u>22</u> Report and Recommendations. Certificate of Appealability: No Ruling Signed by Senior Judge Kenneth L. Ryskamp on 7/24/2012. (cbr) (Entered: 07/24/2012)